



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,350	09/27/2000	Robert David Edwards	052401-5001	6553

9629 7590 06/16/2004

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

EXAMINER

BRANCOLINI, JOHN R

ART UNIT	PAPER NUMBER
----------	--------------

2153

DATE MAILED: 06/16/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

Office Action Summary

Application No.

09/671,350

Applicant(s)

EDWARDS ET AL.

Examiner

John R Brancolini

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 5 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2153

DETAILED ACTION

This action in response to Amendment filed April 5, 2004.

Claims 1-33 are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7, 9-16, 18-19, 21-25, 27-31, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (US Patent 5608874) in view of Alam et al. (US Patent 6336124).

In regards to claim 1, Ogawa discloses a data structure for communicating sophisticated information, said data structure being downloadable from a server to a receiving computer over a network, wherein the sophisticated information is generated by a software application and sent to the server as a source file by a sending computer over the network, said data structure comprising:

- A translated data portion storing the sophisticated information contained in the source file as a translated data file (col 10 lines 23-26).

Ogawa, however, fails to disclose allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that

Art Unit: 2153

has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information.

Alam discloses a system of data conversion that contains this limitation.

Alam teaches that the translated file can be wrapped in a Java script which allows a user to access a listing of suitable output formats for the information, thus allowing a user to use both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information which in turn allows users without expensive software packages to access sophisticated data (col 20 lines 42-55).

It would have been obvious to one of ordinary skill in the art to modify Ogawa to include allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information as taught by Alam to allow users without expensive software packages to access sophisticated data.

In regards to claim 2, Ogawa discloses the translated data file contains sophisticated information generated from any of a plurality of software applications, each having a unique source file format (numerous types of files are listed, col 8 line 55 – col 9 line 1).

Art Unit: 2153

In regards to claim 3, Ogawa discloses a translated data portion, but lacks the self extracting file format.

Alam, as seen above in the discussion of claim 1, includes a Java script attached to the translated file which is used for self extracting (col 20 lines 42-55). Alam teaches this feature is beneficial to allow recipients of the translated file to conveniently self-extract the file, and then view the file on their computer without the need of a separate utility program.

It would have been obvious to one of ordinary skill in the art to modify Ogawa as taught by Alam to include a self-extracting file format to allow recipients of the translated file to conveniently self-extract the file, and then view the file on their computer without the need of a separate utility program.

In regards to claim 7, Ogawa discloses the translated data portion contains unintelligible data (the translated data file is in an unintelligible format readable only by the translation program, col 5 lines 26-32).

In regards to claim 9, Ogawa discloses the translated data is unintelligible data and wherein the machine instructions provided in said data accessing portion are capable of generating user defined, intelligible formats of the sophisticated information on the receiving computer having resident in its random access memory machine instructions originating from software code consisting essentially of operating system software code (a program of essentially operating system code is used to carry out the processes that occur at the main processing

Art Unit: 2153

station, col 14 lines 30-32, the program utilizes a PreProcessor being able to generate a user defined data file, col 16 lines 18-30).

In regards to claim 10, Ogawa discloses a means for protecting the sophisticated information including storing said translated data into a user-identifying file format whereby user authorization is required at the receiving computer before allowing the user to select said user-defined intelligible formats of the sophisticated information (in one embodiment, a valid log in is required to access the files, col 13 lines 33-40).

In regards to claim 11, Ogawa discloses a means for protecting the sophisticated information including storing said translated data into a user-identifying file format whereby user authorization is required at the receiving computer before allowing the user to select said user-defined intelligible formats of the sophisticated information (in one embodiment, a valid log in is required to access the files, col 13 lines 33-40).

In regards to claim 12, Ogawa discloses a method for providing information to a recipient over a computer network, the information being generated and stored in a source file by a sender residing on a sending computer wherein a software application is needed to interrogate the information stored in the source file, the sending computer being connected to a server over the

Art Unit: 2153

network and the recipient computer being connected to the server for access to data stored on the server, said method comprising the steps of:

- Communicating a request for the delivery of the information to the recipient including the step of sending the source file from the sending computer to the server over the network (a set of data is sent to a main processing section, or server, Fig 1, col 8 lines 50-52).
- Processing the source file at the server for access to the information by the recipient, including the steps of: translating the source file into a translated file, and providing with the translated file a means for accessing the translated file in a user intelligible format so as to permit the recipient to interrogate the information without the use of a separate software application (the file is translated and moved to outgoing data to be sent to the recipient, col 10 lines 23-26, the recipient, utilizing the same software program as the sender, can translate the file further into a usable format, col 10 lines 38-42).
- Providing the translated data and means for accessing the information in a user intelligible format for access by the recipient (the file is sent to the recipient in a format for further translation by the application running on the clients computer, col 10 lines 38-42).

Ogawa, however, fails to disclose allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information.

Art Unit: 2153

Alam discloses a system of data conversion that contains this limitation. Alam teaches that the translated file can be wrapped in a Java script which allows a user to access a listing of suitable output formats for the information, thus allowing a user to use both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information which in turn allows users without expensive software packages to access sophisticated data (col 20 lines 42-55).

It would have been obvious to one of ordinary skill in the art to modify Ogawa to include allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information as taught by Alam to allow users without expensive software packages to access sophisticated data.

In regards to claim 13, Ogawa discloses the communicating a request for delivery step further includes sending a network address of the intended recipient to the server and sending a message to the server for delivery to the recipient (the sender can specify a destination address to the file, col 10 lines 57-60).

In regards to claim 14, Ogawa discloses the communicating a request for delivery step further includes specifying a security protocol defining recipient access rights to the data stored in the source file and wherein said processing

Art Unit: 2153

the source file step further includes the step of protecting the translated file by wrapping the translated file into a file format requiring recipient identification before granting the recipient access to at least a portion of the translated file (In one embodiment of Ogawa, validation is determined to be required by the sender before wrapping the file for sending, in order for the recipient to access the file the recipient needs a valid log-in and password, col 13 lines 14-31, the provider can automatically or manually require entry of a log-in, col 13 lines 36-37).

In regards to claim 15, Ogawa discloses the providing the translated data and means for accessing the information step further includes prompting the recipient for a password for access to the translated file (in one embodiment, a valid log in with a password is required to access the files, col 13 lines 33-40).

In regards to claim 16, Ogawa discloses the providing the translated data and means for accessing the information step includes establishing a communication link with the recipient computer for download of the translated data from the server to the recipient computer over the Internet (the network may be the internet, col 11 lines 51-55).

In regards to claim 18, Ogawa discloses the source file includes sophisticated information (the file can include a variety of formats of sophisticated information, col 8 line 55 – col 9 line 1).

Art Unit: 2153

In regards to claim 19, Ogawa discloses the translating the source file step further includes storing the information contained in the source file into a non-modifiable file format (the source file is converted to a MidFormat file, col 10 lines 23-26, and Ogawa defines the MidFormat file as a translated data file for later translation, but the file itself is non-modified as it is translated into a new file type, col 5 lines 26-32).

In regards to claim 21, Ogawa discloses a method for communicating to a supplier a request for response from a specifier, said method comprising the steps of:

- Providing a network server including means for data storage, means for receiving data transmitted over the network from the specifier, means for processing specifier data and means for allowing the supplier to access the specifier data, the providing a network server step further including the step of providing with the means for receiving data a secure network communication link between the specifier and network server to limit unauthorized access to the specifier data (Fig 1 item 20, col 5 lines 4-20).
- Receiving the request for response over the secure network communication link, the request for response including data stored in a source file on the specifier computer wherein the source file originates from any of a plurality of specifier preferred software applications (col 10 lines 14-17).

Art Unit: 2153

- Processing the specifier data, including the steps of translating the specifier data into a translated file, and packaging the translated file including providing a means for accessing the translated file in a user intelligible format so as to permit the supplier to interrogate the information without the use of a separate software application (col 10 lines 23-26).
- Notifying the supplier of the request for response (the supplier is notified of the file by it's appearance in the clients receiving mail box, col 6 lines 31-34).
- If the request for response is accepted, providing the accepting supplier with access to the translated data (col 10 lines 38-42).

Ogawa, however, fails to disclose allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information.

Alam discloses a system of data conversion that contains this limitation. Alam teaches that the translated file can be wrapped in a Java script which allows a user to access a listing of suitable output formats for the information, thus allowing a user to use both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information which in turn allows users without expensive software packages to access sophisticated data (col 20 lines 42-55).

Art Unit: 2153

It would have been obvious to one of ordinary skill in the art to modify Ogawa to include allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information as taught by Alam to allow users without expensive software packages to access sophisticated data.

In regards to claim 22, Ogawa discloses the receiving the request for response step further including the step of receiving a specifier security protocol for limiting supplier access to the data stored in the source file and wherein said providing the accepting supplier with access to the translated data step further includes providing the supplier with access rights to the information stored in the translated data according to the specifier security protocol (In one embodiment of Ogawa, validation is determined to be required by the sender before wrapping the file for sending, in order for the recipient to access the file the recipient needs a valid log-in and password, col 13 lines 14-31, the provider can automatically or manually require entry of a log-in, col 13 lines 36-37).

In regards to claim 23, Ogawa discloses providing the supplier with access rights step includes providing the supplier with a password access to the translated data (in one embodiment, a valid log in is required to access the files, col 13 lines 33-40).

Art Unit: 2153

In regards to claim 24, Ogawa discloses the translating step further includes the step of storing the specifier data into a non-modifiable file format so as to provide the accepting supplier with only that portion of the data contained in the source file that is needed for accessing the translated data in a user intelligible format (the source file is converted to a MidFormat file, col 10 lines 23-26, and Ogawa defines the MidFormat file as a translated data file for later translation, but the file itself is non-modified as it is translated into a new file type, col 5 lines 26-32).

In regards to claim 25, Ogawa discloses the source file includes sophisticated information (the file can include a variety of formats of sophisticated information, col 8 line 55 – col 9 line 1).

In regards to claim 27, Ogawa discloses if the supplier accesses the translated data, further including the step of notifying the specifier that the supplier has accessed the translated data (a provider history box is disclosed which lets the specifier see what files have been received by the supplier, col 6 lines 4-6, also a transaction table is given that contains a listing of all processed transactions by a supplier, col 7 lines 3-4, once a translation is completed at the client end the transaction table is updated allowing the sender to know the file has been accessed, col 16 lines 54-61).

Art Unit: 2153

In regards to claim 28, Ogawa discloses the providing access to the accepting supplier step further includes providing a secure communication link between the supplier and network server for download of the translated file and means for accessing the translated file over the Internet (the network may be the internet, col 11 lines 51-55).

In regards to claim 29, Ogawa discloses the providing a network server step further including the step of storing in the means for data storage a registry of suppliers for receiving requests for response from the specifier, and wherein said step of notifying the supplier of the request for response includes notifying the supplier based on the supplier information contained in the registry of suppliers (a table is used to store the information about a certain supplier such as ID number and name, col 5 lines 61-65 and col 6 lines 40-43).

In regards to claim 30, Ogawa discloses a method for providing a solicitor with a network-based service for securely communicating a solicitation to a plurality of recipients, the solicitor and plurality of recipients being connected to a server over a network, the information being generated by a software application and stored in a source file on the solicitor computer wherein a software application is needed to communicate the information in the source file in a user intelligible format for the recipient residing at the recipient computer, said method comprising the steps of:

- Receiving the source file at the server (col 10 lines 14-17).

Art Unit: 2153

- Receiving recipient information at the server pertinent to the solicitation of the recipient including a text message for the recipient (the PrepServer receives the recipients information including text messages for the required data files, col 5 lines 47-59).
- Converting the source file, including the steps of packaging the source file information into a secure file (col 10 lines 23-26).
- Providing the converted source file to the recipient (col 10 lines 27-42).

Ogawa however lacks wrapping the secure file with an executable file wherein the executable file permits the recipient to access the information generated by the solicitor's software application without using one of the solicitor's software application and a separate software application, as well as allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information.

Alam discloses a system of data conversion that contains both these limitations. Alam teaches that the translated file can be wrapped in a Java script (wrapping the secure file with an executable) which allows a user to access a listing of suitable output formats for the information, thus allowing a user to use both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information which in turn allows users without expensive software packages to access sophisticated data (col 20 lines 42-55).

Art Unit: 2153

It would have been obvious to one of ordinary skill in the art to modify Ogawa to include wrapping the file in an executable as well as allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information as taught by Alam to allow users without expensive software packages to access sophisticated data, as well as allowing users to view the files without a separate utility program for viewing the translated file type.

Claims 4-6, 8, 17, 20, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Alam as applied to claims 1-3, 7, 9-16, 18-19, 21-25, 27-30 above, and further in view of Rappoport (US Patent 6614430).

In regards to claim 4, Ogawa in view of Alam discloses sophisticated information, but fails to disclose the information is a mathematical model.

Rappoport discloses a system of CAD file conversion that takes a CAD file of one format and translates it into another format. Rappoport teaches that a stored sophisticated data file can be a mathematical model (col 1 lines 42-58). Rappoport shows that it is advantageous to translate a CAD file, or a mathematical model, from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

Art Unit: 2153

In regards to claim 5, Ogawa in view of Alam fails to directly disclose a 3D model being translated.

Rappoport teaches that a stored sophisticated data file can be a 3D model (col 12 lines 25-38). Rappoport shows that it is advantageous to translate a CAD file, or a 3D model, from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

In regards to claim 6, Ogawa in view of Alam fails to directly disclose the file contains data generated from a computer aided design software program.

Rappoport teaches that a stored sophisticated data file can be a CAD file (col 3 lines 58-61). Rappoport shows that it is advantageous to translate a CAD file from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

In regards to claim 8, Ogawa in view of Alam fails to directly disclose the unintelligible data includes vector-based numerical data which is used to generate screen images of physical data according to user-defined input.

Rappoport teaches that a stored sophisticated data file can be vector based numerical data (col 1 lines 42-58, col 2 lines 10-14). Rappoport shows that it is advantageous to translate a CAD file, or a vector based numerical data file, from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

Art Unit: 2153

In regards to claim 17, Ogawa in view of Alam fails to directly disclose the information for the recipient originates from a source file having data stored in one of a 3D model and a first graphics format and wherein the translating step includes translating a portion of the one of a 3D model and a first graphics format into at least a streamlined text format and a second graphics format.

Rappoport teaches that a stored sophisticated data file can be a 3D model (col 12 lines 25-38). Rappoport shows that it is advantageous to translate a CAD file (or a 3D model in a first graphics format and wherein the translating step includes translating a portion of the one of a 3D model and a first graphics format into at least a streamlined text format and a second graphics format) from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

In regards to claim 20, Ogawa in view of Alam discloses storing the information contained in the source file into a non-modifiable file format step corresponds to storing the information in a file format compatible with a software application that does not allow modification to an input file (col 10 lines 23-26). Ogawa in view of Alam, however, fails to directly disclose the source file is a Computer Aided Design model.

Rappoport teaches that a stored sophisticated data file can be a CAD file (col 3 lines 58-61). Rappoport shows that it is advantageous to translate a CAD file from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

In regards to claim 26, Ogawa in view of Alam fails to directly disclose a 3D model.

Rappoport teaches that a stored sophisticated data file can be a 3D model (col 12 lines 25-38). Rappoport shows that it is advantageous to translate a CAD file, or a 3D model, from one format to another to allow users utilizing separate CAD applications to be able to open the same sophisticated data file.

Allowable Subject Matter

Claims 31-33 allowed. In regards to claim 31, the prior art of record does not teach creating a first and second file from the source file, the file types being defined by the solicitor of the original source file. Claims 32-33 allowed as being dependant on claim 31.

Response to Arguments

Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

The amending of claims 1, 12, 21 and 30 to include the limitation of allowing the selection of user-defined intelligible formats of the sophisticated information using both a computer that has software suited to interrogating sophisticated information and a computer that is devoid of software suited to interrogating sophisticated information (paraphrased from claims 1, 12, 21 and 30). The adding of this limitation required a new art search, as was

Art Unit: 2153

acknowledged by the applicant on page 12 of the amendment filed on April 5, 2004.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (703) 305-7107. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRB
JRB



FRANTZ B. JEAN
PRIMARY EXAMINER